

NICHOLAS A. TRUTANICH
United States Attorney
Nevada Bar Number 13644
JIM W. FANG
Assistant United States Attorney
501 Las Vegas Blvd. South, Ste. 1100
Las Vegas, Nevada 89101
Tel: 702.388.6317 / Fax: 702.388.6418
jim.fang@usdoj.gov

Attorneys for the United States

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

KENNETH GREENLAND,

BRITTANY GRIESEL, and

PAUL NAEGER,

Defendants.

Case No. 2:20-mj-00892-VCF

Order **to Continue the Preliminary
Hearings (Second Request)**

It is hereby stipulated and agreed, by and between Nicholas A. Trutanich, United States Attorney, through Jim W. Fang, Assistant United States Attorney, Monique N. Kirtley, Assistant Federal Public Defender, counsel for Defendant Kennett Greenland, Maysoun Fletcher, Esq., counsel for Defendant Brittany Griesel, and Lance J. Hendron, Esq., counsel for Defendant Paul Naeger, that the preliminary hearings in the above-captioned matter for Greenland and Griesel, previously scheduled for November 30, 2020, at 4:00 p.m., and for Naeger, previously scheduled for November 23, 2020, at 4:00 p.m., be

1 vacated and continued until a time convenient to the Court, but no earlier than 90 days
2 from the current setting.

3 1. Federal Rule of Criminal Procedure Rule 5.1(d) provides that “[w]ith the
4 defendant’s consent and upon a showing of good cause—taking into account the public
5 interest in the prompt disposition of criminal cases—a magistrate judge may extend the time
6 limits [for preliminary hearings] one or more times.” Here, the parties desire to explore the
7 potential to resolve this matter before defendants are formally charged by a criminal
8 indictment.

9 2. In that regard, the government will be providing defense counsels with limited
10 Rule 16 discovery in order to facilitate pre-indictment resolution. Defense counsels will need
11 additional time to review the discovery and discuss the case with their respective clients
12 prior to a preliminary hearing or indictment.

13 3. This continuance is not sought for the purposes of delay, but to allow defense
14 counsels an opportunity to examine the merits of this case before a potential resolution can
15 be reached between the parties.

16 4. Defendants Greenland and Griesel are not in custody, Defendant Naeger is in
17 custody, and all three defendants agree to the continuance.

18 5. Denial of this request could result in a miscarriage of justice, and the ends of
19 justice served by granting this request outweigh the best interest of the public and the
20 defendants in a speedy trial.

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6. The additional time requested by this stipulation is excludable in computing the time within which indictment must be filed pursuant to the Speedy Trial Act, 18 U.S.C. § 3161(b), and considering the factors under 18 U.S.C. § 3161(h)(7)(A) and (B)(i) and (iv).

DATED this 20th day of November, 2020.

NICHOLAS A. TRUTANICH
United States Attorney

s/ Jim W. Fang
JIM W. FANG
Assistant United States Attorney
Counsel for the United States

s/ Monique N. Kirtley
MONIQUE N. KIRTLEY
Assistant Federal Public Defender
Counsel for Defendant Greenland

s/ Maysoun Fletcher
MAYSOUN FLETCHER, ESQ.
Counsel for Defendant Griesel

s/ Lance J. Hendron
LANCE J. HENDRON, ESQ.
Counsel for Defendant Naeger

1 **UNITED STATES DISTRICT COURT**
2 **DISTRICT OF NEVADA**

3 UNITED STATES OF AMERICA,

4 Plaintiff,

5 v.

Case No. 2:20-mj-00892-VCF

6 KENNETH GREENLAND,

FINDINGS AND ORDER

7 BRITTANY GRIESEL, and

8 PAUL NAEGER

9 Defendants.

10
11 Based on the pending Stipulation between the defense and the government, and good
12 cause appearing therefore, the Court hereby finds that:

13 1. The parties desire to continue the preliminary hearing to facilitate pre-
14 indictment resolution, and the government will be providing defense counsels with limited
15 Rule 16 discovery for that purpose. Defense counsels will need additional time to review the
16 discovery and discuss the case with their respective clients prior to a preliminary hearing or
17 indictment. The Court finds good cause to continue the hearing to allow the parties to reach
18 a pre-indictment resolution.

19 2. Both counsels for defendants and counsel for the government agree to the
20 continuance.

21 3. Defendants Greenland and Griesel are not in custody, Defendant Naeger is in
22 custody, and all three defendants agree to the continuance.

1 4. The continuance is not sought for the purposes of delay, but to allow defense
2 counsels an opportunity to examine the merits of this case before a potential resolution can
3 be reached between the parties.

4 5. Denial of this request could result in a miscarriage of justice, and the ends of
5 justice served by granting this request outweigh the best interest of the public and the
6 defendants in a speedy trial.

7 6. The additional time requested by this stipulation is excludable in computing
8 the time within which indictment must be filed pursuant to the Speedy Trial Act, 18 U.S.C.
9 § 3161(b), and considering the factors under 18 U.S.C. § 3161(h)(7)(A) and (B)(i) and (iv).

10 THEREFORE, IT IS HEREBY ORDERED that the preliminary hearings in the
11 above-captioned matter for Defendants Greenland and Griesel, previously scheduled for
12 November 30, 2020, at 4:00 p.m., and for Defendant Naeger, previously scheduled for
13 November 23, 2020, at 4:00 p.m., be vacated and continued to
14 March 1, 2021 at 4:00 PM in LV Courtroom 3D by video conference before Magistrate Judge Cam Ferenbach.

15 DATED this ²³ day of November, 2020.

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18 HONORABLE CAM FERENBACH
19 UNITED STATES MAGISTRATE JUDGE
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